

**MINUTES OF THE REGULAR MEETING OF
THE CHARLOTTE COUNTY
CONSTRUCTION INDUSTRY LICENSING BOARD
18500 Murdock Circle, Room 119
Port Charlotte, Florida 33948**

April 4, 2013

- I. CALL TO ORDER by Carleton Strong at 6:00 PM.**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**

Members Present:

**William Ambrose
Thomas Burns
John Damon
Michael Douglass
Randy Fassett
Stephen Gardiner
Erik Howard
Carleton Strong
Glenn Siegel, Board Attorney**

Members Excused: John Herston, John Damon

Member Absent: None

Staff Present:

**Lorraine Lundblad, Certified Code Compliance Officer Licensing Investigator
Ira Bender, Certified Code Compliance Officer Licensing Investigator
Joshua Moye, Assistant County Attorney
David White, Clerk**

Staff Excused:

**Erin Mullen-Travis, Licensing Manager
Jim Evetts, Building Official
Aaron Schulze, Certified Code Compliance Officer Licensing Investigator**

- IV. AGENDA CHANGES – Erin Mullen-Travis, Licensing Manager informed the board of the following changes:**
- V. NEXT MEETING DATE: May 2, 2013, at 6:00 p.m.**

VI. SWEARING IN OF ALL THOSE GIVING TESTIMONY

VII. QUASI-JUDICIAL HEARING

VIII. APPROVAL OF MINUTES: March 7, 2013

MOTION: *Thomas Burns* motioned to approve the minutes. *Erik Howard* seconded and the minutes were approved unanimously.

IX. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES:

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$10.00 for the cost of recording the lien.**

- A. Cesar Baredes - Citation # 3232; 510.00
- B. Eric Caldem – Citation # 3505; 510.00
- C. William E. Cobb - Citation # 3515; 510.00

Lorraine Lundblad
Ira Bender
Ira Bender

MOTION: *Randy Fasset* motioned to approve the Consent-Affidavits of Non-Compliance Fines. *Thomas Burns* seconded and the motion was approved unanimously.

X. CONTESTING CITATION: None

XI. STAFF MOTION TO VACATE ORDER AND ENTER A CORRECTED ORDER:

The staff requests that the March 7, 2013 Order be vacated, and that a Corrected Order be entered naming the correct Respondent **Scott A. Archer**.

MOTION: *Carleton Strong* motioned to vacate the order issued to **Scott A. Archer** on March 7, 2013. *William Ambrose* seconded and the motion was approved unanimously.

MOTION: *Carleton Strong* motioned that citation #3288 issued to **Scott A. Archer** is upheld and that payment is due within thirty days of this hearing. *Erik Howard* seconded and the motion was approved unanimously.

XII. OLD BUSINESS: None

XIII. LICENSE REVIEW: None

XIV. REINSTATEMENT:

- A. Kevin Boyer
License No. CGC1515032

Erin

Mullen-Travis

Mr. Boyer has requested a hearing to request temporary reinstatement of his contracting privileges and the right to work in Charlotte County to complete 13 open permits. He also asks the board to request that DBPR change the status of his license from Current, Suspended to Current Probation.

Erin Mullen-Travis Licensing Manager was present to provide testimony to the board. **Mr. Boyer** was present to give testimony to the board.

Motion: *Michael Douglass* made the motion that **Kevin Boyer**, CGC1515032 formally licensed under CRC1326352, be required to be financially responsible to coordinate the services of a licensed contractor, and within 30 days of the date of this hearing, to enter new contracts with the property owners of the properties listed in the previous notices and or permit report; and ensure that the permits are renewed within 60 days of the date of this hearing and that the permits are granted final inspections within 90 days of the date of this hearing.

It is further ordered that **Mr. Boyer** be required to reimburse Charlotte County for courtesy inspections and or any rejection fees that are outstanding; that a copy of this Boards Order be forwarded to the FCILB with the recommendation that **Mr. Boyer** be required to reimburse the homeowners who had to retain the services of another contractor to bring their jobs into compliance and that FCILB not lift his suspension until all permits in Charlotte County are issued final inspections.

Furthermore, we Order that **Mr. Boyer's** permitting privileges and right to work in Charlotte County remain permanently revoked.

If **Mr. Boyer** fails to comply within any of the timeframes stated in this Order; a copy of Order along with a follow up report will be sent to the state FCILB with the recommendation that **Kevin Boyer's** State Certified General Contractors license and any other licenses regulated under the Department of Business and Professional Regulation be revoked. If **Mr. Boyer** complies with the Boards order and the FCILB reinstates his license at any time in the future, it is recommended that the FCILB ensure that **Mr. Boyer** be placed on probation for a minimum of 5 years, the same amount of time that has elapsed from his first Board hearing where this Board ordered him to renew and final the permits as listed in the notice.

Carleton Strong seconded the motion and it was approved with a vote of seven to two with dissenting voted cast by **Erik Howard** and **William Ambrose**.

Joshua Moyer advised **Mr. Boyer** to contact the staff at the Building Department, who will then pull all reports and work together with him to figure out what is exactly required. **Mr. Boyer** acknowledged that he would contact the Building Department.

A. **David J. D'Hondt**
 License No. CAC020211

Lorraine Lundblad

Mr. D'Hondt has requested a hearing to have permanent reinstatement of his contracting privileges and the right to work in Charlotte County.

Lorraine Lundblad Certified Code Compliance Officer Licensing Investigator was present to provide testimony to the board. **Mr. D'Hondt** was present to give testimony to the board.

Motion: ***Carleton Strong*** made the motion to permanently reinstate Mr. **D'Hondt's** permitting privileges and the right to engage in business or act in the capacity of a contractor in Charlotte County. ***Randy Fassett*** seconded the motion and it was approved unanimously.


- XV. **DISCIPLINE CASES: None**
- XVI. **CITIZEN INPUT – Katie Howard** stated that she hoped the board had a very happy Easter.
- XVII. **REPORT FROM THE LICENSING DIVISION MANAGER- None**
- XVIII. **REPORT FROM THE BUILDING OFFICIAL- None**
- XIX. **REPORT FROM THE ASSISTANT COUNTY ATTORNEY- None**
- XX. **BOARD ATTORNEY COMMENTS- None**
- XXI. **REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS- None**
- XXII. **ADJOURNMENT**

Any person who decides to appeal a decision of this Board will need a record of the proceedings pertaining thereto, and therefore may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based

MOTION: ***Carleton Strong*** made the motion to adjourn. ***Thomas Burns*** seconded the motion and it was approved unanimously. The meeting was adjourned at 6:45 PM.

Charlotte County
Construction Industry Licensing Board
Minutes of April 4, 2013


Read and approved by:


Carleton Strong, Chairman

Date: May 2, 2013


STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 2nd day of May, 2013 who is personally known to me and who did not take an oath.


Signature of Notary



I hereby attest and affirm that the minutes of the April 4, 2013 Construction Industry Licensing Board meeting are true and accurate to the best of my ability. Complete files of all cases as well as taped recordings of all proceedings of this hearing are kept in the Building Construction Services and Contractor Licensing Division and are available to the public. Copies of the tapes are available upon request for a minimal fee.


David White, Administrative Assistant II/Clerk
Construction Industry Licensing Board
Community Development Department
Contractor Licensing Division